

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

DERRICK THOMAS

CIVIL ACTION NO. 05-1222-A
SECTION "P"

-vs-

JUDGE DRELL

FEDERAL BUREAU OF PRISONS, et al.

MAGISTRATE JUDGE KIRK

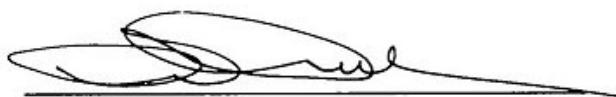
JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and noting the absence of objections to the findings and recommendation in the record;

IT IS ORDERED that plaintiff's civil rights claim against Defendants Federal Bureau of Prisons and Warden Tapia is DISMISSED WITH PREJUDICE as frivolous and as failing to state a claim upon which relief may be granted under 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

IT IS FURTHER ORDERED that Plaintiff's claims for civil rights violations against Defendants Capt. Jefferson, Lt. H. Bowers, Lt. Bynum, c/o Borderline and c/o Zito be served in accordance with court orders.

SIGNED on this 22nd day of November, 2005, in Alexandria, Louisiana.



Dee D. Drell
United States District Judge